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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/618,321 | 07/18/2000 | Marc David Abrahams | 66182 | 9842 |

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EXAMINER

ALAM, SHAHID AL

ART UNIT PAPER NUMBER

2172

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/618,321

Applicant(s)

ABRAHAMS, MARC DAVID

Examiner

Shahid Al Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 22 are pending in this office action.

Information Disclosure Statement

2. The reference cited in the information disclosure statement (IDS- Form 1449, Paper Number 2) has been considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,848,399 issued to Raymond Burke ("Burke").

With respect to claims 1 and 12, Burke teaches retrieving personalization data for a particular user from a database (column 6, lines 50 – 60, column 11, lines 64 – 67 and column 12, lines 1 – 9);

assembling display data that is configured to render a three-dimensional display area on a video display, the display area including images of one or more products that are selected based on the personalization data (column 5, lines 15 – 26);

sending the display data through a computer network for display on a client computer video display (column 5, lines 15 – 24);

receiving a communication from the client computer through the computer network, the communication resulting from interactions with the display area (column 5, lines 46 – 60); and

updating the personalization data for the particular user in the database based on the communication (column 11, lines 48 – 63 and column 12, lines 21 – 22).

As to claims 2 and 13, an instruction to select one of the product images in the display area (column 7, lines 59 – 63 and column 12, lines 1 – 5).

As to claims 3 and 14, an instruction to manipulate one of the product images in the display area (column 6, lines 40 – 43).

As to claims 4 and 15, assembling modified display data that is configured to render a modified display area having at least a portion of a selected one of the product images shown in more detail (column 6, lines 40 – 48).

As to claims 5 and 16, sending the modified display data through the network for display on the client computer (column 6, lines 43 – 48).

As to claims 6 and 17, processing data included in the communication with a personalization engine (column 9, lines 13 – 29).

As to claims 7 and 18, a request for an audio file (column 1, lines 63 – 66).

As to claims 8 and 19, sending an audio file through the computer network to the client computer (column 1, lines 63 – 66).

As to claims 9 and 20, the communication comprises one or more search terms (column 5, lines 38 – 42).

As to claims 10 and 21, the display area comprises an input box configured to receive search terms (column 5, lines 38 – 47).

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As to claims 11 and 22, the display area comprises a virtual room (column 12, lines 1 -2).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (703) 305-2358. The examiner can normally be reached on Monday - Thursday 8:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Shahid Al Alam
Examiner
Art Unit 2172

SAA
September 9, 2002